

## Article 2: Health Regulated Businesses and Activities

### Division 7: Animals and Poultry (“Animals” added 2-10-1953 by O-5486 N.S.) (Retitled to “Animals and Poultry” on 5-12-1953 by O-5588 N.S.)

#### §42.0701 Pet Shops — Dealing in Animal Pets Regulated

Health regulated businesses shall include the business of trafficking in or raising, selling or exchanging any birds, cats, dogs or other pets, all of which, for the purpose of this Division, are called “pets.”

*(Retitled to “Pet Shops— Dealing in Animal Pets Regulated” and amended 9-15-1980 by O-15327 N.S.)*

#### §42.0702 Pet Shops — Conformance to Zoning Required

No Health Permit for the activities included in this Division shall be valid unless it shall have been approved by the Planning Commission as not being in conflict with ordinances and local regulations concerning planning and zoning.

*(Retitled to “Pet Shops— Conformance to Zoning Required” and amended 9-15-1980 by O-15327 N.S.)*

#### §42.0703 Pet Shops — Proximity to Residence–Soundproofing

All animals in pet shops shall be kept not less than twenty (20) feet from any door, window or opening of any private dwelling. If, however, any pet shop has been established in a congested area, the animals shall be held in a soundproof room.

*(Retitled to “Pet Shops— Proximity to Residence–Soundproofing” and amended 9-15-1980 by O-15327 N.S.)*

#### §42.0704 Pet Shops — Care of Pets

Suitable holding facilities shall be provided to protect pets from inclement weather.

Adequate feed and water shall be furnished to all pets. All feed shall be stored in ratproof containers tightly covered and protected against rats and other contamination. Meat shall be kept in a properly maintained refrigerator until used.

*(Retitled to “Pet Shops— Care of Pets” and amended 9-15-1980 by O-15327 N.S.)*

**§42.0705 Pet Shops — Sanitary Regulations**

The floors of all structures used for the purpose of housing or keeping pets must be impervious to moisture and be kept in a sanitary condition. All such structures must be whitewashed or painted a light color and maintained in good repair at all times.  
*(Retitled to “Pet Shops— Sanitary Regulations” and amended 9–15–1980 by O–15327 N.S.)*

**§42.0708 Fowl, Rabbits, Racing and Homing Pigeons and Fancy Pigeon Regulated**

Health Regulated Businesses shall include the keeping or maintenance of more than:

- (a) twenty–five (25) fowl and rabbits; or
- (b) 100 racing or homing or fancy pigeons; or
- (c) any combination of (a) and (b) which exceeds 100.

*(Retitled to “Fowl, Rabbits, Racing and Homing Pigeons and Fancy Pigeons Regulated” and amended 1–27–1997 by O–18378 N.S.)*

**§42.0709 Fowl, Rabbits, Racing or Homing Pigeons or Fancy Pigeons, Maintenance—Regulations and Exceptions**

- (a) No fowl or rabbits shall be kept or maintained within fifty (50) feet of any building used for residential purposes.
- (b) All food for fowl, rabbits or racing or homing or fancy pigeons shall be stored in containers which offer protection against rodents as required in this Chapter.
- (c) All fowl, rabbit or racing or homing or fancy pigeon droppings and food scraps shall be removed from the premises at least once a week or more frequently if, in the opinion of the Director of Public Health, it is necessary to prevent an unsanitary condition.
- (d) No person shall keep or maintain in a residential zone more than:
  - (1) Twenty–five (25) fowl and rabbits; or
  - (2) One hundred (100) racing or homing or fancy pigeons; or
  - (3) Any combination of (1) and (2) which exceeds 100.

- (e) Nothing contained in this section shall be deemed or construed to prohibit the keeping of fowl, rabbits or racing or homing or fancy pigeons:
  - (1) In a coop, box or run located and kept within a schoolhouse, museum or zoo for the purpose of study or observation;
  - (2) In a coop, box or run located and kept within a physician's office or laboratory, for medical research, medical treatment or scientific purposes;
  - (3) On premises zoned for A1-1, A1-5, A1-10, M1-A, M1, M2-A and M2;
  - (4) On premises where the fowl, rabbits or racing or homing or fancy pigeons are sold in the ordinary and customary course of business, and are not raised, bred or grown on such premises.

*(Retitled to "Fowl, Rabbits, Racing or Homing Pigeons or Fancy Pigeons Maintenance— Regulations and Exceptions" amended 1-27-1997 by O-18378 N.S.)*

#### **§42.0711 Diseased Pets — Notice to Health Department**

Whenever any pets shall appear to have any communicable disease, the Health Department shall be notified immediately of such condition with such information as may be necessary and such pets shall be immediately isolated from healthy pets. If in the discretion of the Health Officer said pet is considered a menace to the health of other pets or people, he shall condemn said pet to be removed entirely from the premises and, if necessary, destroyed.

No diseased pets shall be sold or given away, nor shall they be otherwise disposed of except in the manner authorized by the Health Officer.

*("Diseased Pets — Notice to Health Department" added 2-10-1953 by O-5486 N.S.)*

#### **§42.0712 Pets — Noise, Odors — Declared Nuisance**

The presence of obnoxious odors or unsanitary conditions, or the failure to muzzle or place in sound proof kennels all dogs barking excessively or to a degree that annoys the immediate neighborhood, is hereby declared to be a public nuisance and may be summarily abated by the Health Officer.

*("Pets — Noise, Odors — Declared Nuisance" added 2-10-1953 by O-5486 N.S.)*

**§42.0713 Special Permits**

Special permits may be granted for the maintenance of animals and poultry not in strict conformity with the provisions of this Division, if the Director of Public Health makes a finding that because of soil, drainage, prevailing winds, absence of insect life, unusually effective sanitation measures, population density in the area, innocuousness of the animal or poultry involved, or like conditions, the public health and welfare will not be endangered thereby and such animals or poultry shall be kept in a manner consistent with the conditions, if any, imposed in such special permit and within the scope thereof.

*(“Special Permits” added 1-26-1977 by O-12001 N.S.)*